

# Judge Barrett & Pence's career goal

Trump's nomination of South Bend judge brings Supreme Court to conservative apex

By **BRIAN A. HOWEY**

INDIANAPOLIS – It stands to be a future framed picture in Vice President Mike Pence's office: On Monday, he was climbing the U.S. Capitol steps with 7th Circuit Judge Amy Coney Barrett of South Bend. The tall, slender judge is adjusting her necklace; the vice president is reaching into his pocket, a look of exhilaration on his face. The U.S. Supreme Court is off in the distance.

It was a day the vice president probably dreamed about for decades, particularly after he re-emerged in the 1990s following two unsuccessful congressional campaigns as an ardent pro-life advocate.

Throwing Roe into the "ash heap of history," as Pence put it, has been his defining mission as Politico put it, the core of a political career that took him from Congress to the governor's mansion to the vice presidency.

As a House member, he introduced the first bill



Continued on page 3

## 2 grumpy old men

By **MARK SOUDER**

FORT WAYNE – The appalling presidential debate was certainly an embarrassing spectacle for our nation. Two old men, who worked to remember their talking points and leaned heavily on insults to cover it, seemed more like fighting school children, who in frustration with their inability to make a point, resort to name-calling.

Given that one of two is going to be the next president, let's attempt to discuss – without yelling and interrupting – some of substance of what each candidate tried to say on some key issues.

■ **COVID-19:** If you feel COVID-19 was handled poorly



**“We expect to continue to gather and refine this data in the coming weeks, so today's dashboard should not be seen as a comprehensive overview of cases.”**

- Dr. Kristina Box, unveiling a state COVID dashboard that revealed at least 2,400 school infections in Indiana.



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**Jack E. Howey**  
 editor emeritus  
 1926-2019



by the federal government at the very beginning, Biden clearly won this point. Trump appealed to the skeptics and to those who fear that continuing enforcement of tough restrictions is going to destroy their livelihood. The stubborn refusal of Trump, and many of his supporters, to focus on masks, even to the point of mocking Biden's rather posturing use of them, may become actually the most telling factor over time among swing voters. Also, Trump's blabbing to "Rage" author Bob Woodward on what he knew early about the issue but did little (in spite of his claiming otherwise) to demonstrate any targeted leadership, may gain some traction but gets largely lost in Biden's muddled messaging.

Hollering about science rather overwhelms the question of what the government could have done, but did not. Still, this issue went to Biden though Trump supporters won't agree, and Biden supporters think he won on this by more than he did.

■ **Law and order:** Trump kept baiting Biden on never mentioning law and order, or police. Biden did defend the police and mentioned law, but pointedly could not get himself to say "order" in spite of the baiting. Expect that issue to return, because it is the more potent of the two. Biden said that he didn't want to defund the police but wanted to spend large sums of money to send a psychologist along in police cruisers on 911 calls. People are being murdered, there is chaos, and switching enforcement dollars on the beat to mental health advisors is ridiculous.

On the other hand, abandoning sensitivity training without announcing some sort of real program to address the problems related to expanded law enforcement understand-

ing of racism was an under-the-radar negative on Trump's side. They got into mini-brawls over side issues that illustrated different world views, such as whether antifa is an organization or a network of affiliated autonomous groups that is a movement. While most people didn't know much about the core issue (or care) it actually is illustrative of a major point, whether the riots following many BLM marches are coordinated or not. I believe the answer is obvious – they are – and so do most voters who have followed many variations of violent



movements. Violent groups always claim to be autonomous – gangs, cartel organizations, and every other one.

On law and order, Trump was the overwhelming winner and this may be the bigger issue in some key swing states (e.g. Pennsylvania, Wisconsin, Michigan, Minnesota). As a side note, it will be impossible to accurately poll this issue regardless what pollsters say.

■ **The economy:** Biden scored some points on jobs, where Trump resorted to blustering and questionable numbers. Biden's tax defense was confusing and poor, even allowing for the fact that he got confused himself a few times about his own ideas. That was not true of



Biden's position on government spending; he wants to spend more on everything. In my opinion, on substance, it was a draw. As expected, people who are doing well probably think Trump was amazing, the slam dunk winner. People who aren't doing well think Biden just humiliated the president. The critical election question is this: As people vote, how many people in each category vote?

■ **Accepting the election results:** Trump appears to many people to be questioning the integrity of voters because his remarks are not anchored in specific dangers. For example, we appear to be abandoning the right to a private ballot for most voters. It is a different kind of potential fraud than what he is raising. As long as the debate spins around "prove it," the president will lack facts. Past fraud has mostly been on voting machines, not mail-in ballots.

Fox News moderator Chris Wallace asked a legitimate question: Mail-in ballots can be checked with voter records but what is being done about doing this in a systematic fashion? That would eliminate the worries about stacks of missing ballots, ineligible voters, and double-voting. Trump had no answer and Biden was too busy attacking Trump in general, or rambling. Just establishing that voters are legitimate would not, however, eliminate the potential involuntary mass collections of non-private ballots (i.e. voting by intimidation).

The bottom line is this: Most voters, especially those who are the swing voters, take the election seriously, and will punish any candidate who threatens not to accept the election results in advance.

■ **Justice Barrett:** When President Trump flatly stated that he expected the Supreme Court to decide the election, even down to counting ballots, he potentially put another potential obstacle in the confirmation path of Justice Barrett. Is he rushing the nomination – which he clearly and effectively pointed out that he has a right to do because he is the elected president until mid-January – to gain an extra vote in the post-election Supreme Court battle? The Dems will likely obsess over abortion, homosexuality and attacking her faith and thus bury this issue.

Each side thought they won. Initial rapid polling indicated that the number who felt a particular candidate triumphed mirrored the preferences going in. My initial take is this: Among voters who are swing voters in states that are actually competitive, unpacking which issue or two matters the most at the end will determine who actually wins.

Biden is ahead, if you trust the polling, and I question whether Trump did enough to close the current gap in swing states. But this race is a long, long way from over. ❖

**Souder is a former Republican congressman.**

## Barrett, from page 1

to defund Planned Parenthood in 2009. As governor, he signed half a dozen anti-abortion bills. "We must support the confirmation of Judge Alito and other jurists who will support a strict-constructionist view of the law and make it possible once and for all to end Roe v. Wade," Pence said in 2006 as his political ally, then U.S. Sen. Dan Coats, escorted the future Justice Samuel Alito to meet with members of the Senate.

Certainly after he made what has often been described as his 2016 "Faustian bargain" with Donald Trump. He joined the Trump Republican ticket after friends and allies warned him to stay away. He was privately shocked when the stunning upset registered in the wee hours after the election. The potential was now there for his career goal of re-shaping the Supreme Court.

In a CNN interview in 2016, he reiterated unequivocally that he wants to see the Roe decision overturned. "I do, but I haven't been nominated to the Supreme Court," he said, adding that he and Trump "will continue to be a pro-life administration. If we appoint strict constructionists to the Supreme Court as Donald Trump intends to do, I believe we'll see Roe v. Wade consigned to the ash heap of

history."

In another 2016 interview, Pence said, "I am absolutely confident that Donald Trump will appoint Supreme Court justices in the tradition of the late and great Justice Antonin Scalia."

With the death of Associate Justice Ruth Bader Ginsburg last month, Pence and Federalist Society allies like



his longtime friend, David McIntosh, stood at the threshold of a culmination of a career goal. If Judge Barrett is confirmed in the days before the Nov. 3 election, the conservatives will have achieved a 6-3 conservative court. The Federalist Society came up with a list of potential jurists

with lofty resumes that President Trump has adhered.

Pence's legacy will be that as the Trump whisperer. "Part of it is reminding President Trump who is an important constituency," said Curt Smith, who chairs the Indiana Family Council.

On Monday, Pence explained, "In Judge Amy Coney Barrett, we have someone of great character, of great intellect, who has a judicial philosophy that will uphold the Constitution of the United States. President Trump discharged his duty under Article Two to nominate Judge Barrett to the vacancy on the Supreme Court of the United States. And now we look forward, our entire team, leader – working with you, Republicans in the Senate, and we hope Democrats in the Senate, as well – as you discharge your duty to advise and consent."

Judge Barrett becomes the third Supreme Court nomination by President Trump, following the successful confirmations of Associate Justices Neil Gorsuch and Brett Kavanaugh. All three were on the Federalist Society list presented to Trump in the summer of 2016 as he worked to gain the trust of evangelicals and social conservatives.

At Tuesday night's donnybrook debate, President Trump brushed aside Joe Biden's complaint that the winner in November should make the nomination, after President Obama was denied his 2016 selection of Merrick Garland. "I was not elected for three years, I'm elected for four years," Trump said. "We won the election. Elections have consequences. We have the Senate. We have the White House and we have a phenomenal nominee, respected by all."

McIntosh, the former Indiana congressman and 2000 GOP gubernatorial nominee who now heads up Club For Growth, co-founded the Federalist Society in 1982 as a law student at the University of Chicago. One of his professors was future Justice Antonin Scalia. "In '82, we really felt like the minority," McIntosh told HPI on Wednesday. "Folks were crying out in the darkness, 'Hey the liberals really aren't doing the law the right way.' We really didn't foresee it coming to this position. I was a big dreamer. I did see the Federalist Society taking off with hundreds of thousands of members. I really did see a jurist like Amy Coney Barrett on the court."

He formed the Federalist Society with his friend, Lee Liberman Otis, with Prof. Scalia the faculty sponsor. "A friend of both of ours, Steve Calabresi started one at Yale Law School. We connected with Spence Abraham who started a conservative law journal at Harvard," McIntosh said. "I think it was our second year in



law school we decided to have a national conference and invited conservative scholars to talk about what should be the right approach to judges making decisions in law. From that conference, which was held at Yale in 1982, everybody who attended said, 'Hey, we'd like to start something in our law school' and we decided to call ourselves the Federalist Society and off it took. Scalia was a professor of mine there and sponsored our chapter. Robert Bork was a professor at Yale who sponsored the Yale chapter.

"In terms of composition of more conservative, more originalist jurists as opposed to activist jurists, it has switched from 6-3 the other way with Burger and Warren, to 6-3 more traditional restraint justices and three activists," McIntosh said of the Barrett nomination which is likely to cap a four-decade-long goal.

"That doesn't tell the whole story," McIntosh continued. "Within that, you've got different ways of approaching the more restrained jurists. You've got the Scalia originalist who really worked to see the real meaning in the text to the Constitution with regards to the law. And then you've got more result-oriented conservatives, I guess I'd put (Chief Justice John G.) Roberts in that where he will take an overall look at where he wants to end up. On the Obamacare decisions, he decided he didn't want to hold them unconstitutional and manipulated the legal precedents to get to the end result of his opinion. Within that six, you're going to have differences that emerge; the different way they approach interpreting the law."

In the Senate confirmation hearings set to begin on Oct. 12, much attention will be focused on whether a "Justice Barrett" will render *Roe v. Wade* to what Pence has frequently described as the "ash heap of history."

McIntosh predicted that *Roe v. Wade* will likely be altered incrementally in the short term.

"You've got to be careful in predicting this," he said. "I would suspect there will be more interest in making gradual shifts over making wholesale changes. They're going to look for cases to reverse some of the recent cases, like requiring that there be a sonogram or perhaps uphold laws that make it illegal to have an abor-

tion when the fetus is viable, a late term abortion. And gradually cut back on the Roe decision. Maybe at some point they'll conclude to just leave it up to the states completely; stop having it be a federal question. But I wouldn't expect that to happen overnight."

Smith agreed, saying, "I don't think Roe will be struck down immediately. I wouldn't be surprised if it is in five or six years. You can do more and regulate abortion in new ways. I wouldn't be surprised if Roe is overturned in my lifetime. It's so bad. I know it's established law, but there have been times where bad decisions were overturned."

Smith cited the 1857 *Dred Scott v. Sandford* decision that held the Constitution did not protect Black Americans, and the 1896 *Plessy v. Ferguson* case that upheld the constitutionality of racial segregation, as decisions that were overturned.

He pointed to Judge Barrett's 7th Circuit decision to uphold Indiana's HEA 1337 that was signed by Gov. Pence in 2016. In signing what was often described as one of the tightest abortion laws in the country, Pence said, "HEA 1337 will ensure the dignified final treatment of the unborn and prohibits abortions that are based only on the unborn child's sex, race, color, national origin, ancestry, or disability, including Down syndrome. Some of my most precious moments as governor have been with families of children with disabilities, especially those raising children with Down syndrome."

"Judge Barrett ruled Indiana's law was appropriate," Smith said.

"When Judge Kavanaugh took over the (Justice Anthony) Kennedy seat, we had a conservative court," Smith said. "Now it's 6-3. The ironic thing is that if Judge Barrett's confirmation is successful, it will turn the court back to its originalist, textualist origins and not the activist court it had become. It will deal with more disputes."

Smith believes that will take much of the politics away from the Supreme Court. Over the past three decades, the abortion issue has permeated everything from presidential and gubernatorial races, to those for Congress, the General Assembly and even mayoral races.

On the left, there appears to be some recognition that abortion laws should be left to state legislatures. University of California law Prof. Joan Williams, writing in a New York Times op-ed, observed, "We have people voting for Trump because he'll appoint justices who will overturn Roe. Maybe it is time to face the fact that abortion access will be fought for in legislatures, not courts. I was shocked, but I could see the logic. It's true that abortion access is already abysmal. The argument that the left has already lost the abortion fight reflects the fact that there's no abortion clinic in 90% of American counties. This is the result of the highly successful death-by-a-thousand-cuts



anti-abortion strategy, which has piled on restriction after restriction to make abortion inaccessible to as many American women as possible."

McIntosh met Judge Barrett when he spoke at Notre Dame. "I was up there visiting the chapter, met her and was impressed by her," McIntosh said. "She is an incredibly smart law professor. We stayed in touch at the annual Federalist Society meetings."

As for Pence's legacy in shaping the Supreme Court, McIntosh said, "I think Mike's view of the law and

Roe is much more likely to be accepted now. I think he would agree the end result is for each state to make the end decision on what their policy should be on abortions."

Smith agreed. "New York will be pro-choice. Indiana will be pro-life. There won't be a national ban on abortion." ❖

## Group removes ACB from site

### Associated Press

WASHINGTON — A tiny religious organization tied to Amy Coney Barrett, Donald Trump's supreme court nominee, sought to erase all mentions and photos of her from its website before she meets with lawmakers and faces questions at her Senate confirmation hearings.

Barrett, a federal appeals judge, has declined to publicly discuss her decades-long affiliation with People of Praise, a Christian group that opposes abortion and holds that men are divinely ordained as the "head" of the family and faith. Former members have said the group's leaders teach that wives must submit to the will of their husbands.

A spokesman for the organization has declined to say whether the judge and her husband, Jesse Barrett, are members. But an analysis by the Associated Press shows that People of Praise erased numerous records from its website during the summer of 2017 that referred to Barrett and included photos of her and her family.

**At the time, Barrett** was on Trump's shortlist for the high court seat that eventually went to Justice Brett Kavanaugh. After an AP reporter emailed the group's spokesman on Wednesday about members of Jesse Barrett's family, his mother's name was deleted from the primary contact for the South Bend, Indiana, branch. All issues of the organization's magazine, *Vine and Branches*, were also removed.

Sean Connolly, People of Praise's spokesman, confirmed in an email that information was being wiped from the group's website. "Recent changes to our website were made in consultation with members and nonmembers from around the country who raised concerns about their and their families' privacy due to heightened media attention," Connolly said. ❖



# Braun urges ‘patience’ with election returns

By MARK SCHOEFF, JR.

WASHINGTON — It may take a couple weeks to determine a winner of the presidential election if the race is close, and Americans need to be patient while mail-in votes are sorted out, Sen. Mike Braun said Wednesday.

The Jasper Republican said there will be complications related to the surge in ballots being cast through the postal service so that people can avoid the polls during the coronavirus pandemic.

But he said there will be a legitimate outcome – even if it takes a while to determine.

“We’re going to have to be patient,” Braun told Indiana reporters on Wednesday conference call. “If it is very close, we may not know the results for seven, 10 days, a couple weeks. I feel quite confident in the process.”

While Braun is calling for patience on election night, there is speculation that President Donald Trump will assert he’s won, even if the results aren’t final. He has implied he might not accept the election outcome if he loses because he thinks mail-in voting will be rife with fraud, an assertion that has been repeatedly refuted by experts.

Braun cautioned against jumping to conclusions.

“I’ll let it play itself out,” he said. “I think either side that declares early runs the risk of not having that happen [and] might be disappointed. But we will get through it.”

But he said Trump has reason to raise concerns.

“If you do want to go into mail-in balloting as a standard way of doing it, some states have been successful with it,” Braun said. “I think it brings some of the perils Trump has talked about, and especially when you try to pile it all in into one election.”

Republican Sen. Todd Young and Rep. Jim Banks, R-3rd CD, also appeared to be ready to let the voting process run its course rather than rushing to judgment on election night. HPI put the same question to them that it asked Braun: Would you stand with Trump if he declared victory while mail-in ballots were still outstanding?

“Sen. Young supports all ballots being counted,” Young spokesman Kenworthy wrote in an email.

Banks also responded by email and referred to Indiana Secretary of State Connie Lawson.

“The Electoral College determines who wins the election, and I have full faith in Secretary Lawson to execute a free and fair election in the state of Indiana,” Banks said in a statement.



## Braun, Young meet with Barrett

Trump’s Supreme Court nominee Amy Coney Barrett made her rounds on Capitol Hill on Wednesday, meeting with both Braun and Young.

The senators are enthusiastically backing their fellow Hoosier, who would give the high court a solid 6-3 conservative majority if she’s confirmed by the Senate to replace the late Justice Ruth Bader Ginsburg. Barrett, a judge on the U.S. Court of Appeals for 7th Circuit, lives in South Bend.

Braun praised Barrett for being a “Constitutionalist” and said her approach on the bench would be charac-

terized by “interpreting the law, not making it.”

Democrats are irate that Republicans are pushing Barrett’s nomination through just weeks before an election that could unseat Trump and give Senate control to Democrats. The tension sets the stage for a potentially tough confirmation hearing for Barrett starting on Oct. 12.

Braun cautioned Democrats not to be as aggressive in questioning Barrett as they were in the 2018 confirmation hearing for Brett Kavanaugh, a federal appeals court judge who went on to obtain Senate approval to fill the Supreme Court seat of retiring Justice Anthony Kennedy.

“Democrats would be wise not to get into the theatrics of what we saw two years ago, that’ll only hurt,” Braun said. “The more the public gets to know Amy, even for those that don’t maybe agree with what her judicial style will be, they’re going to be impressed with her.”

Democrats are warning Barrett will be an additional conservative vote that will tip the court toward striking down the Affordable Care Act. The court will hear a challenge to the health care law a couple weeks after the election.

Young dismissed that line of argument after his meeting with Barrett.

Democrats “want to make this about anything but Amy Coney Barrett’s qualifications to serve in the highest court of the land,” Young said at a Senate leadership press conference. “Instead, they are going to try and scare Americans, that somehow, Amy Coney Barrett wants to take away their healthcare and jeopardize people with pre-existing conditions. This is a mother of seven children, one of whom has special needs – of course Amy Coney Barrett cares about health care.” ❖

# 5th CD has all hallmarks of a nationalized race

By **BRIAN A. HOWEY**

CARMEL — All of the hallmarks of a congressional district in play have now settled into the 5th CD battle between Democrat Christina Hale and Republican Victoria Spartz.



The campaigns have moved from their biography TV ads to issues the candidates have worked on during their General Assembly careers. For Hale beginning Tuesday, it was her

bill signed into law that kept sexual predators off school campuses. "As a member of the Indiana General Assembly, keeping our kids safe was one of my top priorities, and I never let partisan politics get in the way of that mission," Hale says in the ad. "I was proud to bring Democrats and Republicans together to pass several bills to keep child predators off school grounds and ensure our kids' safety online — because some things are more important than party labels. I'm ready to take that same passion and bipartisanship to Washington, where I'll be a tireless advocate for every child in this country."

Another ad suggests that Hoosiers are seeking to elect "problem solvers."

For Spartz, it was her efforts in the Indiana Senate to contain health care costs, though her campaign aired a negative ad charging Hale with bringing "Chicago-style corruption to the Indiana Statehouse." Another ad torches Hale as a scofflaw "dodging taxes."

Meanwhile, the congressional campaign arms are flinging the mud. The Democratic Congressional Campaign Committee is using an IndyStar story on how Sen. Spartz authored wetlands legislation to benefit her family. "You've heard it before: Politician Victoria Spartz is completely out for herself. While in the state senate, she got caught writing laws that stood to benefit her rich family, making it easier to bulldoze protected wetlands and make millions. She even failed to disclose her conflict of interest! Indiana needs a leader who represents ALL families — not just her own.

The Nation Republican Congressional Committee has aimed TV ads at Hale torching her as a scofflaw tax

dodger. "The NRCC is now trying to paper over Victoria Spartz's long history of self-dealing and shady business ventures by spreading misleading claims about Christina and her family," Hale campaign manager Joann Saridakis said.

The Hale campaign told HPI that the tax dodge allegation stems from her Broad Ripple home being overvalued. The "high powered attorney" mentioned in the ad is Hale's husband, who went to the Marion County Assessor to review the taxes.

The Hale campaign also notes that the cell tower issue featured in the "Chicago-style corruption ad" is based on legislation in 2017. Hale left the General Assembly after her 2016 lieutenant governor nomination. The Hale campaign explained, "This ad is deeply misleading and distorts Christina's bipartisan record. The bill that Christina worked on in 2015 promoted wireless telecom infrastructure as a way to expand internet and broadband access to rural communities in Indiana. It was introduced by a Republican, had overwhelming support from members of both parties, and was signed into law by Gov. Pence. The bill even had the support of the Republicans who have endorsed Spartz's campaign - State Reps. Tony Cook and Mike Karickhoff. The bill that relates more to 5G

tower construction and which caused concern among Marion's residents was SB 213, which passed in 2017, a year after Christina left the legislature.

The Spartz campaign lashed out at the DCCC "wetlands" ad this morning. "When someone does not have a record or just has a bad one, they misrepresent themselves and attack their opponent, and his or her family, with lies," said Spartz campaign manager Catherine Seat. "Once again, Christina Hale and Nancy Pelosi are attacking Victoria



Spartz and her family with blatant lies and distortions to distract voters from Hale's record of being partisan, lying about passing over 60 bills, selling out to big utility monopolies and supporting higher taxes on the middle class while trying to dodge her own taxes. Victoria Spartz has never financially benefited from public service. The wetland attacks is a completely false, political hit piece. In fact, Victoria's spent her own hard-earned money trying to make a difference for our community. That stands in stark contrast to the record of political opportunist, Christina



Hale, serving special interests and doing their bidding.”  
**Horse Race Status:** Tossup.

## Governor

### Holcomb announces full reopening as COVID cases surge in Midwest, state

Gov. Eric Holcomb signed the executive order announcing fully removing the state from a pandemic shutdown a week ago. On the same day, Libertarian nominee Donald Rainwater filed a large campaign donation of \$100,000 from William Perkins of St. Thomas, Virginia, bringing his cash on hand to \$165,000 for the stretch run of the campaign. Chis Rufer of Woodland, Calif., gave the campaign at \$10,000 on Sept. 24.

This is an unprecedented influx of money for a Libertarian nominee, who filmed a TV ad at the Statehouse on Tuesday. It prompted some muted speculation that the governor had a political motive for moving to Stage 5 at a time when 33 states were seeing significant increases in COVID infections. Again, the notion that Rainwater is posing a substantive political threat to an incumbent Republican governor is silly.

“Indiana continues to experience steady health indicators as Hoosiers change their habits to wash our hands more, practice social distancing and wear face coverings,” Holcomb said. “This allows us to continue to get Indiana Back on Track, and I urge Hoosiers to keep up their vigilance, especially as the days get cooler, so schools and businesses can remain open.”

“In our county, a lot of the spread are those close family or small group parties,” Angela Cox, the Henry County Health Department Administrator said. “That’s exactly what happens in a nightclub or a bar that doesn’t in a restaurant where people kind of pack in just to socialize.” St. Joseph County Health Commissioner Mark Fox added, “I’m worried that (Holcomb is) falsely reassured by that because I don’t think it reflects true improvement,” Fox said. “I certainly don’t see indicators that give me a lot of confidence to say, yeah, let’s get restaurants and bars operating at full capacity because I’m more interested in seeing the schools get opened safely than bars and restaurants. I would have prioritized things differently.”

The state continues to monitor and respond to an expanded set of metrics, including: The seven-day average positivity rate; The number of hospitalized; COVID-19 patients statewide; The number of critical care beds and

ventilators; The state’s ability to test all Hoosiers who are COVID-19 symptomatic as well as health care workers, first responders and frontline employees; Systems are in place to contact all individuals who test positive for COVID-19 and expand contact tracing; and the number of positive cases per 100,000 residents.

Two weeks ago, Indiana’s rate of COVID-19 spread was sixth best in the nation. It’s now fourth worst (Smith, Indiana Public Media). But Holcomb said Indiana doesn’t need to reimpose restrictions. “It means we need to hunker down in the areas where we see spread,” Holcomb said.

The [Evansville Courier & Press](#) reported a “surge” in COVID cases this morning. “Numbers are going up, and if that continues, all hospitals are going to be struggling,” Dr. Heidi Dunniway, chief medical officer of Ascension St. Vincent South Region, said. A cocktail of factors is driving the local COVID-19 surge, according to health officials.

They cited spread in skilled nursing facilities, as well as the resumption of in-person school, youth sports and activities where precautions aren’t followed.

On Wednesday, Health Commissioner Kristina Box unveiled a new dashboard on school infections, numbering at least 2,400 cases. “We expect to continue to gather and refine this data in the coming weeks, so today’s dashboard should not be seen as a comprehensive overview of cases,” Dr. Box said.

Look to the state’s universities for how volatile the COVID pandemic is. Purdue President Mitch Daniels urged Tippecanoe County health officials to keep bar restrictions in place, writing, “The data on COVID-19 community spread gathered over the past nine months clearly indicate that indoor venues such as restaurants and bars represent the most risky of environments. Many of our large university peers have seen major COVID-19 outbreaks in their communities specifically linked to crowded bars. We are concerned that any relaxation of restrictions on restaurants and bars at this time could undermine our efforts to mitigate the spread of the virus on and off campus, ultimately affecting our ability to continue residential learning with the economic challenges that will bring to the community.”

Notre Dame football coach Brian Kelly, who has a third of his roster in quarantine, told ESPN, “Throughout our entire time together, we had not had one meal where we sat down together. Everything was grab and go. We got into our game situation where we have pregame meal together, and that cost us. Big. We had somebody who was asymptomatic, and it spread like wildfire throughout our meeting area where we were eating and then it got guys in contact tracing.”

Indianapolis is also staying at Stage 4.5. “We have a greater potential for transmission of COVID-19





compared to any other county," Dr. Virginia Caine, director of the Marion County Department of Public Health, said Thursday morning during IBJ's Health Care & Benefits Power Breakfast panel discussion. "So we will not be moving to Stage 5 along with the governor's recommendation."

Indiana Republican Chairman Kyle Hupfer, who doubles as Holcomb's campaign manager, said, "The governor and his team are making decisions, and then we are campaigning around it. Those two lines really don't cross. He's doing what he needs to do to run the state.

Rainwater, who appeared at a Sunday rally in Westfield with Libertarian nominee Jo Jorgensen, was critical of Holcomb for waiting so long. "In the present crisis, government is not the solution," he said. "Government is the problem. The people's voice should be heard. It isn't happening in Indiana. We had one man decide what is an essential business. There was no engagement with the legislature over the past six months. We need self-rule. We have to get the state of Indiana to stop treating us as subjects."

Fort Wayne Journal Gazette Statehouse report Niki Kelly tweeted that in interviews with GOP legislative candidates, many are talking about reining in the governor's authority during future pandemics.

**Debate moderators named**

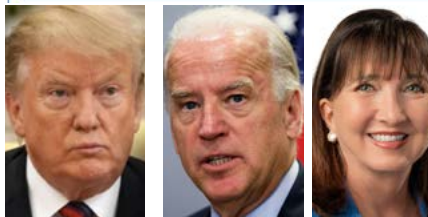
The Indiana Debate Commission has selected Andrew Downs, associate professor of political science at Purdue University Fort Wayne (PFW) and board member of the commission, to moderate the gubernatorial debate on Tuesday, Oct. 20. Downs is the first director of PFW's Mike Downs Center for Indiana Politics, a nonpartisan organization that helps people understand the role of politics and government in their daily lives. Nadia E. Brown, associate professor of political science and African American Studies at Purdue University,



**HOWEY**  
POLITICS INDIANA



**President (U.S. & Indiana)**



**President Donald Trump (R), Joseph Biden (D), Jo Jorgensen (L)**

**HPI Horse Race:**

National: Leans D; Last week: Leans D  
Indiana: Safe R; Last week: Safe R

**Indiana Governor**



**Gov. Eric Holcomb (R), Woody Myers (D), Donald Rainwater (L)**

**HPI Horse Race:**

This week: Safe R  
Last week: Safe R

**Indiana Attorney General**



**Todd Rokita (R) Jonathan Weinzapfel (D)**

**HPI Horse Race**

This week: Leans R  
Last week: Leans R

**Congressional 2nd**

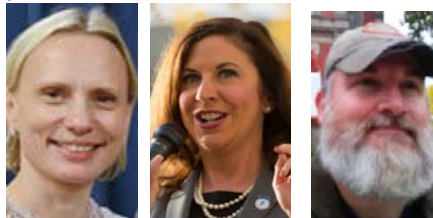


**U.S. Rep. Jackie Walorski (R) Pat Hackett (D)**

**HPI Horse Race**

This week: Likely R  
Last week: Likely R

**Congressional 5th**



**Victoria Spartz (R), Christina Hale (D), Kenneth Tucker (L)**

**HPI Horse Race**

This Week: Tossup  
Last week: Tossup

**Congressional 9th**



**U.S. Rep. Trey Hollingsworth (R) Andy Ruff (D)**

**HPI Horse Race**

This week: Likely R  
Last week: Likely R

will moderate Tuesday, Oct. 27. Brown is the author of the award-winning "Sisters in the Statehouse: Black Women and Legislative Decision Making" and the lead editor of "Politics, Groups and Identities." Both debates will be broadcast live from WFYI in Indianapolis and air from 7-8 p.m. Eastern.  
**Horse Race Status:** Safe Holcomb.

**Attorney general**

**Rokita presses Weinzapfel at ACB**

Republican nominee for attorney general Todd Rokita is calling on Democratic nominee for AG Jonathan Weinzapfel to ask his fellow liberals to confirm Judge Amy Coney Barrett's nomination in the U.S. Senate. "Hoosier Amy Coney Barrett is a supremely qualified candidate for the nation's highest court," said Rokita, "She is an accomplished legal scholar, has tremendous experience from serving on the Court of Appeals and from clerking at the Supreme Court. She is someone who can do it all as a wife and mother of seven all the while earning accolades from her colleagues and students." "It is incredibly important that the U.S. Senate confirm this eminently qualified woman for the U.S. Supreme Court and I call on my Democratic opponent, Jonathan Weinzapfel, to ask his fellow liberals to vote and confirm her. He should urge Elizabeth Warren, Richard Blumenthal, Bernie Sanders and others who share his views to do the right thing and confirm Hoosier and Judge Amy Coney Barrett on the court."

**Weinzapfel calls Rokita 'radical'**

With Hoosiers' health care and economic security hanging in the balance, Weinzapfel called his opponent's positions on health care "extreme and dangerous." Rokita, in an interview published over the weekend in the Indianapolis Business Journal, said "government-run health care is a terrible proposition," raising additional concerns about his views on health care for seniors and veterans. Rokita, who voted to repeal or amend the Affordable Care Act 54 times as a member of Congress, has also supported legislation that would allow Americans over the age of 55 to be charged up to five times more for insurance coverage and has voiced support for raising the Medicare eligibility age from 65 to 78. "Todd Rokita opposes access to affordable health care, he wants to raise the eligibility age for Social Security and Medicare, and he doesn't support protecting those with pre-existing conditions from exorbitant insurance rates," said Weinzapfel. "Based on his past statements and record in Congress, we know Todd Rokita will not stop at destroying the ACA. He also has Medicare, veteran's health care and other important programs in his sights," said Weinzapfel.

**RTL endorses Rokita**

At a press event in South Bend Wednesday, Indiana's umbrella pro-life organization, Indiana Right To Life, endorsed Rokita. "Todd Rokita is the pro-life choice for attorney general," said Indiana Right to Life PAC chairman Mike



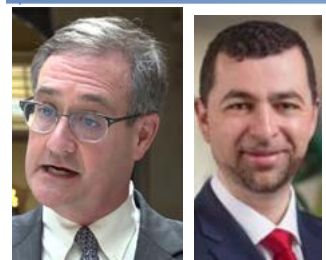
**Indiana General Assembly SD8**



**Sen. Mike Bohacek (R)  
Gary Davis (D)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup

**Indiana General Assembly SD30**



**Sen. John Ruckelshaus (R)  
Fady Qaddoura (D)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup

**Indiana General Assembly HD5**



**Rep. Dale Devon (D)  
John Westerhausen (R)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup

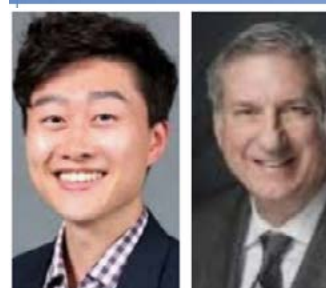
**Indiana General Assembly HD7**



**Rep. Ross Deal (D)  
Jake Teshka (R)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup

**Indiana General Assembly HD15**



**Rep. Chris Chyung (D)  
Hal Slager (R)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup



Fichter. "We have absolute certainty that he will strongly defend Indiana's pro-life laws in the courts, including future laws as well as those laws already being challenged in the federal courts."

**General Assembly**

**'1956' ad aimed at Torr, Huston**

Democrats Ashley Klein in HD39 and Aimee Rivera Cole in HD37



debuting via Twitter a new ad called "Hamilton County 1956." It features a "Leave It to Beaver" scenario. The "mother" character says, "Honey, did you

hear Jerry Torr and Todd Huston got their bill passed today allowing the firing of homosexual teachers." The "father" figure responds, "It's about time." A child then says, "Jerry Torr and Todd Huston allow me to bring my guns to school." **Horse Race Status:** Likely Huston; Leans Torr.

**Presidential 2020**

**Jorgensen rallies in Westfield**

President Donald Trump and former Vice President Joe Biden haven't made any campaign stops in Indiana this general election cycle. But Hoosiers got a chance to hear from a presidential candidate Sunday evening, Libertarian Jo Jorgensen (Smith, Indiana Public Media). Jorgensen delivered her speech to a crowd of hundreds in Westfield, just north of Indianapolis. "Vote with your feet; vote with your dollars," Jorgensen said. "If you want to vote for a mask, then you can shop at Walmart. If you don't want to vote for a mask, you can shop in another store. There shouldn't be a one-size-fits-all, definitely coming from the federal government."

**Parscale resigns from Trump campaign**

Former Trump campaign manager Brad Parscale has tendered his resignation from President Trump's reelection bid a campaign source and a former campaign aide confirmed to CBS News. Parscale was demoted from the role of campaign manager over the summer but was still employed as a senior adviser. A Trump 2020 spokesperson did not dispute the report, which quoted a statement by Parscale saying that he planned to focus on his family and "get help dealing with the overwhelming stress." This follows Parscale's removal from his home by Fort Lauderdale police over the weekend after he had barricaded himself in his home with firearms. ❖



**Indiana General Assembly HD19**



**Rep. Lisa Beck (D)  
Julie Olthoff (R)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup

**Indiana General Assembly HD35**



**Rep. Melanie Wright (D)  
Elizabeth Rowray (R)**

**HPI Horse Race**  
This week: Tossup  
Last week: Tossup

**Indiana General Assembly HD37**



**Rep. Todd Huston (R)  
Aimee Cole Rivera (D)**

**HPI Horse Race**  
This week: Likely R  
Last week: Likely R

**Indiana General Assembly HD88**



**Rep. Chris Jeter (R)  
Pam Dechert (D)**  
Open: Brian Bosma

**HPI Horse Race**  
This week: Likely R  
Last week: Likely R

**Indiana General Assembly HD89**



**Rep. Cindy Kirchhofer (R)  
Mitch Gore (D)**

**HPI Horse Race**  
This week: Likely R  
Last week: Likely R

# Barrett, Buttigieg put South Bend on the map

By JACK COLWELL

SOUTH BEND — South Bend always is in the national news as home of a top contender for president or Supreme Court justice. Always?

Well, just think of them all in national headlines over the decades before now. Before former Mayor Pete Buttigieg won the Iowa caucuses, becoming a top contender for the Democratic presidential nomination, and Amy Coney Barrett, appeals court judge and Notre Dame law school professor, becoming a top contender and then final choice of President Trump for nomination to the Supreme Court.



Those others? There was Schuyler Colfax, House speaker and vice president in the days of Lincoln and Grant. Then a bit of a gap. OK, South Bend, though home over the decades for outstanding people in many fields, hasn't been thought of as the cradle of the nationally prominent for the highest political or judicial posts in the land. Not really a stepping stone.

But now? This year, Mayor Pete and Judge Barrett both made headlines everywhere.

Mayor Pete didn't win the nomination. He remains a national figure, however, destined for a top administration post if Joe Biden wins the presidency and certain, whether or not that happens, to be in future presidential consideration.

Barrett is the Supreme Court nominee. With sufficient support now expected from the Republican majority in the Senate, she is seemingly certain of confirmation and a place on the highest court in the land for decades to come. Her main competition as the president decided on the nomination apparently was a Cuban-American judge in Florida, backed by some presidential advisors as better qualified because she is from that must-win state.

**Why all the attention** this year for two residents of a middle-size city of just over 100,000? Surely beats the odds. Many big cities and even states haven't had all this attention for aspirants for president and the Supreme Court.

Why South Bend? Why suddenly this year? Something in the water? A city that now inspires reaching national prominence? Just a coincidence?

And, gee, they are so different, Buttigieg and Barrett. Different views on marriage. Different philosophies of

government. Different types of supporters. Avid supporters of Barrett and her conservative judicial philosophy certainly weren't hoping for Buttigieg to be president. Avid supporters of Buttigieg and his Democratic Party governmental philosophy certainly weren't hoping for Barrett to be picked to sway the court in a more conservative direction.

Each side really dislikes the views of the other. Buttigieg, in a same-sex marriage, is an outspoken advocate of LGBTQ rights. Supporters of an outspoken conservative such as Barrett want the court to reverse some of those things. Barrett, a devout Catholic, drew support from advocates of repealing Roe v. Wade. Buttigieg is an advocate of choice and retaining the court's Roe decision.

**Advocates of Trump** moving ahead with nomination of a justice like Barrett also hope that the court will strike down remaining parts of the Affordable Care Act, hated by them as "Obamacare." Buttigieg joins in the call of Democrats to save the health care program and vastly expand it.

But there are some similarities. He was born and raised in South Bend and moved back to work and live here. She went to law school at Notre Dame and moved back in 2002 to work and live here.

The similarities go beyond the South Bend connection. Neither is known for loud or angry rhetoric. You just couldn't imagine Barrett declaring defiantly as Justice Brett Kavanaugh did during his confirmation hearing, "I liked beer. I still like beer." Nor could you imagine Buttigieg in a campaign speech leading a "lock-him-up" chant about the president.

Both stress their religious values, even as they differ on where some of those values should lead. Both are young as seekers of the positions to which they have aspired. Buttigieg is 38. Barrett is 48. So, both will be around and will be in the news for a long time. Both clearly are very intelligent.

**If they happened** to meet somewhere in South Bend, due to their personalities and despite their differing political philosophies, they no doubt would be cordial, pleasant toward each other. They even would wish each other well, though not especially well in advancing their philosophies.

All this national attention on South Bend has been kind of nice. Makes the city look good. Better than being cited, if at all, for being a depressed place for so long after Studebaker folded. So, who will be next South Bend resident to be in headlines all over the land for something like president or the Supreme Court? Nobody else this year. But next year? Or the year after? Or not until after a gap stretching as long as the one between Colfax and now? ❖



**Colwell covers Indiana politics for the South Bend Tribune.**



# The basics of the election

By **LEE HAMILTON**

BLOOMINGTON – It probably feels like the 2020 elections have been going on for years, and in a sense they have. Ever since Donald Trump won the presidency in 2016, the political world has been girding for this moment.



But more Americans than you might expect have only just begun paying attention, now that we're in the final weeks of the campaigns. So, this seems an opportune time to look at where things stand, including some basic information that might have gotten lost in all the shouting.

For instance, most people know the fundamentals of the presidential election. Trump, the Republican, is running for a second term in office and is facing a stiff challenge from Joe Biden, Democratic nominee and former vice president. There are other candidates out there, like rapper Kanye West and Green Party candidate Howie Hawkins, but neither will be on the ballot in every state, and both are widely considered by political insiders to be spoiler candidates whose presence helps Trump.

There's more at stake than just the presidency, however. Congress has been split for the last two years, with Democrats controlling the House of Representatives with 232 seats to the Republicans' 198 (there are also four vacancies and one Libertarian, former Republican Justin Amash), and the GOP holding the majority in the Senate, 53-45, with two independents who caucus with the Democrats. Although individual House seats may flip, there is little sense that the Democrats are in danger of losing their control of that chamber. The Senate, however, is very much in play. Republicans are defending 23 seats and several of their incumbents are trailing in polls, while Democrats hold just 12 of the seats up for election this year, with only one of them, Doug Jones' seat in Alabama, in a deep-red state.

**It's also worth** remembering that of the 99 legislative chambers in the country (Nebraska's is unicameral), 86 will be facing elections in November. Republicans control 61 in all, Democrats 37, and there's a power-sharing arrangement in Alaska. This is an especially consequential year for state legislative contests, because in most states the party in control next year will have a strong hand when it comes to redistricting after Census numbers come in, giving it a chance to cement favorable legislative and congressional districts in place for the next decade.

The people we put in office this election will shape the future of the U.S. for decades.

More than control of the White House and Congress is at stake; a lot of Americans consider this election the most consequential of their lifetimes. The U.S. faces unprecedented challenges all at once: Widespread natural catastrophes, fueled by climate change; a pandemic whose course remains uncertain; a reeling economy that even before the pandemic had produced widening inequality of both income and opportunity; a reckoning with centuries of entrenched racial inequality and resistance to demographic change; and a real sense not only that U.S. standing in the world has slipped precipitously over the last four years – and especially since the start of the pandemic – but that it's being outplayed by a rising China and a meddlesome Russia. Beyond that, the recent passing of Justice Ginsburg has moved appointments to the Supreme Court to the top of the agenda.

**President Trump** has not really laid out a detailed plan for a second term, so in many ways, voters in federal elections will be deciding whether to re-up for another four years of his governing style, with its disapproval of government institutions and norms. Biden has spelled out his plans for the economy, his interest in following the recommendations of the scientific community in the pandemic, and both his sympathy for racial-justice demonstrators and respect for local police when it comes to dealing with crime and looting.

The mix of environmental, economic, health, social, and global strategic issues we face means that the next president, Congress, and array of governors and state legislatures will confront a bewildering and rapid-fire set of problems to be tackled, with a demanding citizenry watching closely. That's why the stakes are so high; the people we put in office this election will shape the future of the U.S. for decades. ❖

**Lee Hamilton is a Senior Advisor for the Indiana University Center on Representative Government; a Distinguished Scholar at the IU Hamilton Lugar School of Global and International Studies; and a Professor of Practice at the IU O'Neill School of Public and Environmental Affairs. He was a member of the U.S. House of Representatives for 34 years.**



## Students call for Jenkins to resign

NOTRE DAME – A student petition is calling on Notre Dame's president to resign. Father John Jenkins attended the ceremony for Supreme Court nominee Amy Coney Barrett on Saturday at the White House (WSBT-TV). His decision to shake hands with people there and not wear a mask caused outrage for some Notre Dame students, who have been following strict campus coronavirus rules so closely. The three students who created the petition say Jenkins' actions were an open rebuke of the sacrifices students have been making all semester. ❖

# The lost art of finding political compromise

By **KELLY HAWES**  
CNHI News Indiana

ANDERSON – Speaking about the prospects for replacing Justice Ruth Bader Ginsburg on the nation’s highest court, former New Jersey Gov. Chris Christie offered a prediction. “There will no longer be 96-0 Antonin Scalia confirmations or unanimous Sandra Day O’Connor confirmations,” he said on ABC’s “This Week.” “Those days of politics, unfortunately in my view, ... are gone now.”



Let’s hope he’s wrong. There is every likelihood the Republican-controlled U.S. Senate will confirm President Donald J. Trump’s selection to succeed Justice Ginsburg. Senate Majority Leader Mitch McConnell has promised as much. And the opposition, of course, is already plotting revenge. There’s talk that if Democrats win back the Senate and the White House, they should pack the court by adding more members.

That’s a bad idea.

Republicans will tell you this whole fight was started by the Democrats. They say Harry Reid, when he was majority leader, invoked the so-called “nuclear option” when Barack Obama was in the White House. The Senate then had a 60-vote threshold for judicial confirmations, and Obama was struggling to get any of his judicial appointments confirmed. Republicans were blocking nearly every selection, and the growing number of judicial vacancies was causing backlogs in the courts.

At the time, Democrats felt they had been backed into a corner. Now, some will admit to having regrets. The idea behind that 60-vote threshold was to encourage bipartisanship. If a candidate could not attract at least minimal support from the opposing party, maybe that candidate wasn’t such a good choice for the federal bench.

**Both parties might** do well to take note of the example set by Abraham Lincoln in early October of 1864. Justice Roger Taney died in the final weeks before a presidential election, and Lincoln chose to wait until the voters had spoken before putting forward a nomination.

Our president, of course, is no Abraham Lincoln. He’s also no Harry Truman. Truman in 1944 was faced with a Supreme Court opening soon after the death of Franklin Delano Roosevelt. Republicans were still smarting from Roosevelt’s efforts to pack

the court, and the new president decided to extend an olive branch by naming Republican U.S. Sen. Harold Burton to the open seat.

Or how about then-Senate Minority Leader Everett Dirksen who convinced 27 members of his caucus to join with 44 Democrats to end the longest filibuster in Senate history and push forward the Civil Rights Act of 1964? Those are the kinds of examples today’s leaders should follow. This nation was built on consensus, on the idea that everyone should have a voice.

**Appearing on that same** Sunday news show with Christie, former Chicago Mayor Rahm Emanuel pointed to an encounter between Democratic presidential nominee Joe Biden and a man who was protesting the former vice president’s appearance. Biden gave the man an elbow bump. “I will also be your president,” he said.

Emanuel, a man known for his hard ball approach as a member of the Obama administration, suggested the image of Biden and the protester would resonate with voters. “That is the America people are yearning for,” he said. “Not the Mitch McConnell/Donald Trump, even when we don’t have a majority, we’re going to ram something through and then destroy the fabric of this country.”


A few minutes on social media will tell you Emanuel’s vision is not the America everyone is yearning for. For too many of us, politics today is “my way or the highway.” We’ve bought into the notion that our side has all the answers and the other side has nothing of value to contribute.

Biden says he’ll work with both parties to address the challenges facing our country. That might be reason enough to support him. ❖

**Kelly Hawes is a columnist for CNHI News Indiana. He can be reached at [kelly.hawes@indianamedia-group.com](mailto:kelly.hawes@indianamedia-group.com). Find him on Twitter @Kelly\_Hawes.**

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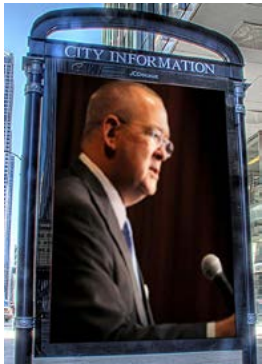
**YOUR FRIENDS ALL HANG OUT HERE... DO YOU?**



# Some thoughts on the urban/rural divide

By **MICHAEL HICKS**

MUNCIE — A background to the coming election will be the growing rural-urban divide in America, and how it affects political prospects on the coming decades. Some of the handwringing will be overwrought, but there are a few critical points to consider in the years ahead.



Let me try to address some of the issues that will certainly influence economic policy towards city and rural communities in the decades ahead. I begin by dispelling some myths.

Rural places are culturally and ethnically very diverse. They differ profoundly in types of economic activity, the ethnic origin and religion of inhabitants, and the political tendencies of voters. West Texas ranches are vastly different

from Vermont farms or inland California almond farms, which differ greatly from Nebraska row crops, Florida orange groves or Washington vineyards. Looking beyond agriculture, we see that manufacturing, mining and tourism mean the industry structure of rural places are also very different. These places are populated by different people, from different places, and are as diverse and full of cultural variation and wonder as any great city.

Rural places in the U.S. differ as fully as Peoria does from New York City, Washington, D.C. from El Paso or Savannah from Pittsburgh. Drawing big political conclusions about the rural and urban divide based on such diversity of culture is risky. However, there are significant differences between rural and urban places that tend to influence public policy. The first is population growth.

**Over the last century**, America's rural counties haven't really grown. We have roughly the same number of rural residents as we did in Teddy Roosevelt's administration, but urban America is more than five times larger. Four out of five Americans live in urban counties as designated by the Office of Management and Budget. To be fair, many of the urban counties have plenty of row crops in them, and rural counties have many small cities. Also, much of the growth in urban places came in formerly rural counties, as has always been the case. Still, urban counties differ in other meaningful ways that are likely to influence future policy. The second big issue is taxes and spending.

Rural places are large beneficiaries of federal dollars. By some estimates, per capital spending by the federal government is twice as high in rural than urban places. Most of this goes into agriculture subsidies, so rural communities probably don't perceive the spending. Most

may not actually benefit from it. Still, that is a legitimate critique offered by urban taxpayers, who foot most of the bill. Rural residents ought to be more conscious that these large subsidies provide few benefits for their community, while alienating urban taxpayers.

There's no national study, but here in Indiana, rural places are also big beneficiaries of state tax dollars. This is per a 2011 study jointly authored by Ball State and the Indiana Fiscal Policy Institute. In that study, we estimated that rural places get more than \$560 more per resident in taxes than they pay, while urban places get almost \$160 less per resident than they pay. It is a plain fact that state and federal taxpayers subsidize rural places at the expense of cities and suburbs. What is not so clear is whether or not this spending makes a meaningful difference in the lives of rural people. I suspect it does not. This is almost certainly true in every other state.

**Just looking at Indiana**, we also see that rural places tax themselves less than urban places. Per capita taxes in Indiana's rural counties are almost 10% lower than in urban counties. I suspect this is true across the nation, and is a significant economic and political problem for rural America.

It's a hard thing to ask citizens of prosperous and growing places, in need of infrastructure and services, to subsidize a static or declining region. We are an affluent nation and can bear it now, but the unwillingness of rural places to invest in themselves hardly commends more subsidies from urban taxpayers. I believe a reckoning is coming, and it will force rural places to think more intelligently about tax and spending priorities. That begins by admitting that large regional transfers have to have some sort of broader benefit, and that rural taxpayers will have to bear a greater share of that burden.

There are other differences between rural and urban places that influence spending priorities. Urban places are richer, and, when you control for industrial differences, more productive. Here in Indiana, urban counties have per capital income that is 10% higher than in rural counties. That helps balance the higher taxes and lower spending that urban places receive, but the most startling differences lie in educational attainment.

**Urban counties have** more than a 50% higher share of adults with a bachelor's degree than do rural counties. Part of this is clearly attributable to household sorting. The income benefits of education are higher in urban places. In short, that is why cities exist in the first place, as clustering places for skilled workers.

A full 76% of the differences in income between rural and urban places are explained by differences in educational attainment. By itself, this is strong evidence that rural areas are unlikely to grow without capturing a larger share of educated adults. And this fact ties together the challenges for population growth, taxes and spending and education for rural places.

The most likely way outsized spending on rural places will benefit the nation as a whole is if the result is

more resilient and prosperous communities.

For the most part, that goal will be elusive for rural communities that do not find some clear linkages to a nearby city. It will also be nearly impossible for rural places to prosper if they don't shrink the education gap with urban places. This is a backdrop to the current election that will be with us for decades. ❖

**Michael J. Hicks, PhD, is the director of the Center for Business and Economic Research and the George and Frances Ball distinguished professor of economics in the Miller College of Business at Ball State University.**

# Trump trailing in states with 279 Electoral votes

By **KYLE KONDIK**  
and **J. MILES COLEMAN**

CHARLOTTSVILLE, Va. – Trailing nationally and in more than 270 electoral votes' worth of states, Donald Trump needed more help from Tuesday night's debate than Joe Biden did. We don't think Trump did help himself, and it is possible that he actually made his path to a second term harder by demonstrating the poor behavior that seems to turn off so many voters.

Trump's performance was so outrageous that it made us ponder whether we should make him a significantly bigger underdog in our ratings than he already has been: We've had Biden leading Trump in our Electoral College ratings since early April, and Biden's been slowly inching up in our ratings ever since, while Trump has been receding. That will continue in our rating changes today, although arguably we could or even should go a lot further.

But we have also been cautious throughout this election cycle, cognizant of an electorate that doesn't seem to swing that much, even in the face of events that one might expect to change minds.

## Electoral College changes

With a stable national lead and a bevy of polling showing him running significantly better with northern white voters than Hillary Clinton performed four years ago, Joe Biden appears to be turning back the clock a bit on the United States' political transformation.

Namely, after Clinton hemorrhaged white voters in northern small town and rural areas in 2016, Biden appears to be bringing some of those voters back into the Democratic fold while also improving on Clin-

ton's margins with white suburbanites. If this pattern holds in the actual results, it could pay major dividends for Biden in the Great Lakes region, where American presidential elections are so often won and lost and where the electorates in the competitive states are whiter than the nation as a whole.

We have several Electoral College changes this week, all in this region. We are moving Minnesota from Leans Democratic to Likely Democratic. We are also moving its neighbor, Wisconsin -- the decisive state in the 2016



presidential election -- from Toss-up to Leans Democratic. And, finally, we're moving Iowa and Ohio, both of which voted for Donald Trump by margins approaching double digits

in 2016, from Leans Republican to Toss-up.

The changes in Iowa and Ohio come both because of the broad improvements Biden has made with white voters in many different places and also because of more recent polling showing the presidential race very competitive in each state. Last Thursday, we took a detailed look at Ohio, and Biden got two of his best polls in the state of the whole cycle there later that day: Up one in a Quinnipiac University poll and up five in a Fox News poll. This squares with some of what we reported in that story, namely that operatives on both sides in Ohio have found the president struggling mightily in key suburban areas.

In Iowa, the tell may have been that Sen. Joni Ernst (R-IA) has been locked in a very competitive contest with businesswoman Theresa Greenfield (D), and it seems like the presidential race is not much different (though Trump typically polls a little better than Ernst).

Meanwhile, Biden's lead in Wisconsin has been as good or even better than his lead in Michigan and Pennsylvania, two states we've had in the Leans Democratic column since June (Pennsylvania) or since we debuted our Electoral College ratings last year (Michigan). Biden's leads are in the five-to-seven point range in all three states. Minnesota voted slightly more Democratic than these states in 2016, and the president's bid to flip the state does not appear to be succeeding. We think it merits being in a less competitive category than the Michigan-Pennsylvania-Wisconsin group: If Minnesota flips, something will have gone seriously wrong for Biden, and Trump would almost certainly be winning a second term.

Now, how might we be wrong about the Midwest?

State	Old Rating	New Rating
Iowa	Leans Republican	Toss-up
Minnesota	Leans Democratic	Likely Democratic
Ohio	Leans Republican	Toss-up
Wisconsin	Toss-up	Leans Democratic



Simple: It is possible that pollsters across many different methods and firms are just overestimating Democratic support among white voters, and it's showing up most dramatically in this region.

That said, there are reasons to believe that Trump's great performances with white voters will be hard to replicate this year. The president has never showed much ability to appeal to a wider audience than the voters who backed him in 2016, and exit poll data suggests that a number of voters took a chance on Trump: He did better than Clinton with voters who had an unfavorable view of both candidates. A small number of these voters may be falling by the wayside: For instance, an ABC News/Washington Post poll that had Biden up nine points in Pennsylvania showed 8% of 2016 Trump voters crossing over to Biden while just 1% of Clinton voters were crossing over to Trump.

It's easy to think of the Trump electorate as immovable, and much of his backing is rock solid, but not every single one of his 2016 supporters was 100% behind him. In the midst of 2020's bad environment – a global pandemic and a rocked economy -- it would make sense that any incumbent president would struggle to add new voters and retain everyone from his last election. Biden also may simply be a better fit for these voters than Clinton was, and the electorate is not static from cycle to cycle.

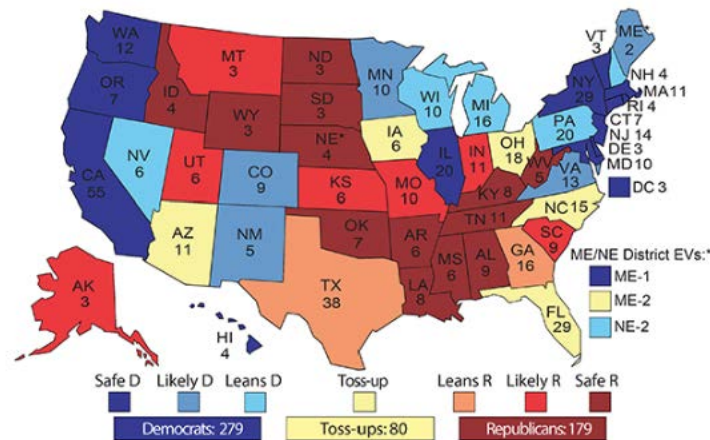
We may also be compelled to move Texas and especially Georgia to Toss-up sooner rather than later. At the very least, these states are consistently closer in polls than 2016's decisive trio of Michigan, Pennsylvania, and Wisconsin. It may be, though, that if Biden is turning back the clock slightly to 2012, the Midwest states, even Iowa and Ohio, are better targets than those emerging battlefields of the Sun Belt. This is also why we continue to hold Arizona, Florida, and North Carolina in the Toss-up category. Of those, Arizona is closest to Leans Democratic.

All told, the president continues to need a significant shift in the numbers – or an even bigger polling error than we saw in 2016 – to bring this race back into true Toss-up territory. The clock keeps ticking to Election Day, and votes are already being cast.

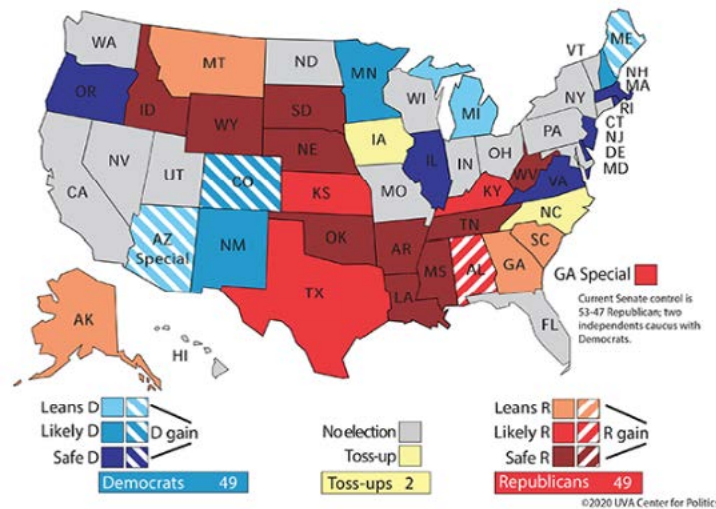
## The Senate

Last week, the Crystal Ball downgraded the pros-

Map 1: Crystal Ball Electoral College ratings



Map 2: Crystal Ball Senate ratings



pects of Sen. Susan Collins (R-ME) – we now rate the four-term Maine senator as an underdog against her Democratic challenger, state House Speaker Sara Gideon. Aside from Collins, the only Republican senator running in a Clinton state this year is Sen. Cory Gardner (R-CO). Colorado, at least in 2016, voted a couple of points more Democratic than Maine, and Gardner hasn't had decades to cultivate a personal brand – as Collins has – so we've had his race at Leans Democratic since February.

The picture for Trump is not good in the Centennial State: as of Wednesday, polling aggregates from FiveThirtyEight give Biden a clean 51%-41% advantage. As one Republican operative summed up

in July, "Jesus Christ himself couldn't overperform Trump by double digits." Senate polling since then has born this out: while Gardner generally performs better than Trump, he often lags his Democratic challenger, former Gov. John Hickenlooper (D-CO), by high single-digits.

If nationalization looms large in Colorado, Alaska is a state that, politically, seems to march to the beat of its own drum – but it's also a state that Senate Republicans seem to be worried about. First-term Sen. Dan Sullivan (R-AK) is locked in an increasingly competitive race with Al Gross, an independent who is running as the Democratic nominee. Alaska is notoriously hard to poll, but a pro-Gross internal from late September showed the race essentially tied. Sullivan is still the favorite, but we're not counting Gross out -- we're moving the race to Leans Republican.

The overall contest for the Senate majority remains highly competitive, but the increasing number of Leans Republican-rated races in our ratings – we now have four, in addition to three GOP-held seats where we favor the Democrats and another two listed as Toss-ups – suggests the possibility that, on a good night, Democrats could make very substantial Senate gains. ❖

**Jon Webb, Evansville Courier & Press:** If you live in a two-bedroom apartment in Evansville, your rent is probably higher than the president's tax bill. That's what The New York Times uncovered in a long investigative piece on Sunday. According to federal tax returns, Donald Trump paid only \$750 in income taxes in both 2016 and 2017. I delved into the story of Trump obtaining and losing the license to control the Southern Indiana casino back in December 2019. Armed with name recognition and Fuzzy Zoeller, the Trump Casino Group won the contract from the Indiana Gaming Commission in July 2004 – less than a year after Orange County overwhelmingly voted to legalize gambling at the former mob hotspot. Trump's representatives mewed big promises about job gains and economic revitalization. They pledged to start building in 16 months. The trouble started immediately. Trump Hotels & Casino Resorts filed for Chapter 11 bankruptcy less than a month after receiving the license, sparking concern from the gaming commission and Gov. Joe Kernan, among others. And that spring, Trump took himself out of the running. One of his major reasons for doing so? A debt of \$18 million in back taxes he owed from another doomed casino venture in Gary, the Courier & Press reported at the time.



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**Randy Palmateer, NWI Times:** If there's one thing I have learned in my years in Northwestern Indiana's building trades it is that you should never expect things to go smoothly. Every project has its curve balls, so adapting to sudden surprises is one of the things we train for. But nothing compares to the hand we were dealt early this year when COVID-19 burst onto the scene. Obviously, we were not alone. COVID-19 has impacted just about everyone and everything. Masks, hand sanitizer, and disinfecting wipes have all become as common (and in some cases as mandatory) as hard hats and safety vests on a construction site. The phrase "personal protective equipment" or "PPE," long familiar to construction workers, is now familiar to everyone. In many ways, the Region's building trades were fortunate. We had PPE at the ready. A lot of construction activity takes place outdoors and in situations where social distancing is not difficult. And thanks to years of strong bargaining and good relationships with our contractors, our members have the resources to help if they or a family member contract the disease. Not all our union brothers and sisters have been so lucky. Those in the health care and food service industries have been on the front lines of the pandemic, and it has taken a heavy toll. The 300,000 hospitality and food service workers at places like hotels, casinos and sports stadiums reported in April that 98% of their membership was out of work.

**Michael Gerson, Washington Post:** Should the fact that President Trump's business empire is really a Potemkin village matter in the 2020 campaign? What does it mean that Trump is a showman like P.T. Barnum rather

than a businessman like Andrew Carnegie? For some time, the main concern of the Trump empire (really hundreds of businesses owned by the president) has been to prop up marquee properties that are hemorrhaging cash. To keep the loans and licensing deals coming, Trump needed to look the part of a successful billionaire. This left him with a unique business model: producing the fraudulent impression of business acumen. Trump's rise to the presidency — based, in part, on the vividness of this illusion — ended up complicating his scheme. Since Trump's losses have routinely outweighed his profits, he apparently paid no federal income taxes in most of the 15 years prior to his election. Disclosing this would undermine his business reputation and political standing. Because it is a norm, rather than a law, that presidents reveal their tax returns, Trump found the solution to be simple: Hide the returns and shred the norm. Much of his tax information has now been obtained by the New York Times (from people, presumably, defending the norm). It reveals massive losses, crippling debt (more than \$400 million, much of it due in the next few years) and many foreign sources of revenue. And it leaves the con at the heart of Trump's political appeal fully exposed. As president, Trump has cultivated chaos and mutual suspicion around him. He spurns deliberation and regularly makes impulsive decisions. He incites anger and resentment as a cruel and lazy substitute for setting unifying goals. For all of this — not to mention his increasingly unvarnished racism and the repeated, serious accusations of sexual assault against him — Trump would be fired as CEO by any responsible corporate board in America.

**Emma Green, The Atlantic:** When President Donald Trump announced that Amy Coney Barrett is his nominee for the Supreme Court, he was effectively declaring victory. In 2016, Trump offered a horse trade to American conservatives: In exchange for their votes, he promised to appoint judges who would champion their interests. This nomination is yet another chance for Trump to remind his supporters that their bet paid off, conveniently timed just a few weeks before Election Day. While Trump may see this nomination as a boon to his reelection campaign, the true victors are the leaders of the conservative legal movement, who built the sophisticated machine in Washington that made this moment possible. With most of America's institutions, from Congress to the executive branch, locked into a state of dysfunction and partisan bitterness, the Court has become the ultimate venue for the parties to fight out controversies and entrench their power. Barrett's nomination is the culmination of a decades-long strategy to advance judges steeped in a conservative judicial philosophy that tends to favor limited government regulation of businesses, produce skepticism of abortion rights, and promote an expansive view of religious liberty. If Barrett is confirmed, a new 6-to-3 conservative supermajority will be poised to determine Americans' rights for a generation.



## 2,400 infected in Indiana schools

INDIANAPOLIS — The state has seen nearly 2,400 positive cases of COVID-19 among students, teachers and staff, according to historic school data reported to ISDH (Lanich, [NWI Times](#)). The Indiana State Department of Health added a new dashboard to its website Wednesday, logging the number of positive coronavirus cases reported among students and teachers in Indiana schools. These cases provide a snapshot of cases among 1,359 schools that have provided information to ISDH, State Health Commissioner Dr. Kristina Box said. Of those schools, 742 have reported one or more cases and 617 have reported no cases of COVID-19. "If you don't find your school immediately, don't be alarmed," Box said. "We are working with the remaining schools to help address technical issues to ensure that they are able to report their data. We expect more schools to be included in the dashboard in coming weeks as we work through this process." This week, the department is reporting 253 new cases among students, 52 new cases among teachers and 71 new cases among staff, bringing total counts based on schools' reported historical data to 1,676 student cases, 335 teacher cases and 343 staff cases.



## Commission to make debate change

WASHINGTON — The presidential debate commission says it will soon adopt changes to its format to avoid a repeat of the disjointed first meeting between President Donald Trump and Democrat Joe Biden ([AP](#)). The commission said Wednesday the debate "made clear that additional structure should be added to the format of the remaining debates to ensure a more orderly discussion of the issues." One possibility being

discussed is to give the moderator the ability to cut off the microphone of one of the debate participants while his opponent is talking, according to a person familiar with the deliberations who was not authorized to discuss the matter publicly and spoke on condition of anonymity. The next presidential debate is a town hall format scheduled for Oct. 15 in Miami. Moderator Chris Wallace struggled to gain control of the 90-minute debate in Cleveland because of frequent interruptions, primarily by Trump.

## COVID surge in Midwest

MILWAUKEE — The coronavirus tightened its grip on the American heartland, with infections surging in the Midwest, some hospitals in Wisconsin and North Dakota running low on space and the NFL postponing a game over an outbreak that's hit the Tennessee Titans football team ([AP](#)). Midwestern states are seeing some of the nation's highest per capita rates of infection, and while federal health officials again urged some governors in the region to require masks statewide, many Republicans have resisted. A record number of people with COVID-19 were hospitalized in Wisconsin. Of those 737 patients Wednesday, 205 were in intensive care, with spikes in cases in northern parts of the state driving up the numbers. The state also reported its highest single-day number of deaths — 27 — raising the toll to 1,327.

## State announces 2 COVID programs

INDIANAPOLIS — State officials on Wednesday announced two new pandemic-related grant programs to help with the food supply chain and individuals with disabilities ([IBJ](#)). Both programs, totaling \$8.9 million, will be funded with federal CARES Act dollars. Lt. Gov. Suzanne Crouch announced that \$4 million is being allocated to the Indiana Meat Processing Expan-

sion & Development Grant Program to help improve food supply chain resilience. Crouch also announced plans to distribute \$4.9 million to the Community Connections for People with Disabilities Grant, which is designed to help local governments partner with community agencies to address the negative impact the pandemic has had on Hoosiers with disabilities.

## Braun says Trump should 'clarify'

WASHINGTON — Sen. Mike Braun of Indiana said Wednesday he thinks President Donald Trump should clarify his remarks at the presidential debate that the Proud Boys should "stand back and stand by" ([IndyStar](#)). "I think that is confusing," Braun said during a routine media availability. "There should be a clear denunciation of right extremists, left extremists. Anybody who takes whatever their point of view is and they go beyond peacefully protesting, they need to be held accountable. It's been playing out in the carnage you've see not only in Indianapolis but across most of the major cities across the country."

## Dr. Box advises against Halloween

INDIANAPOLIS — The state's top health official is cautioning Hoosiers that traditional Halloween activities, such as trick-or-treating, indoor costume parties, haunted houses, or hay rides with strangers, may be a bit too spooky this year amid the COVID-19 pandemic ([NWI Times](#)). Indiana Health Commissioner Dr. Kristina Box isn't using her authority to prohibit what she described as "high-risk" Halloween activities, but Box is strongly encouraging Hoosiers to consider alternatives that reduce their potential exposure to the coronavirus. "I'm not trying to be the witch who ruined Halloween. But I don't want COVID-19 to take that role either," Box said. "So know your risk and plan accordingly. Get creative and have a fun and safe Halloween."